

10/064,964

4

81046000 (FGT 1586 PA)

REMARKS

The Office Action dated February 6, 2006 was carefully reviewed. Claims 8-10 have been canceled. Claims 1-7 remain in the application. It is respectfully requested the Examiner reconsider the present application in light of the amendments and remarks herein.

The Examiner rejected claims 8-10 under 35 U.S.C. § 102. Claims 8-10 are cancelled herein.

The Examiner rejected claims 1-7 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Application No. 2003/0163233 A1 to Song et al., hereinafter Song, in view of U.S. Patent No. 5,563,579 to Carter.

The present invention is directed to the problem of data collection techniques that require manual collection, or a direct electronic connection of data from a vehicle. The present invention is a method for automatic recording of real time data without manual intervention for determining an inventory of vehicles within a predefined service area. This allows inventory management through the collection of data and tracking of vehicles from assembly to receipt at dealers, and on into fleet sites and rental sites.

The Song reference is directed to the collection of vehicle information relating to maintenance and repair that is collected from a running vehicle in order to notify the driver of the need for maintenance or repair, see paragraphs [0010] and [0011]. Because the Song reference is directed to the need for notifying a user who is operating the vehicle, while the vehicle is in operation, it would not have been obvious to one of ordinary skill in the art to add the limitation of a predefined service area as claimed by the present invention. It is counter-intuitive to the Song reference to add the limitation of a predefined service area for determining an inventory of transportation vehicles, when the reference is directed a running vehicle, or a vehicle that is in use.

The Song reference teaches and claims providing vehicle management information to a subscriber terminal in real time so as to perform vehicle management based on the information. The Song reference is directed to a vehicle in operation. This is significantly different from the present invention, which tracks a

10/064,964

5

81046000 (FGT 1586 PA)


vehicle within a predefined service area in order to manage an inventory. The present invention is specifically directed to vehicles that are not running as it tracks their status and location as they work their way through assembly to delivery.

It is respectfully submitted that one skilled in the art would not look to combine the Song reference with any reference that limits the vehicle to a predefined service area, as that would detract from the purpose of the Song invention, which is to acquire information from a running vehicle to provide information necessary for the maintenance, operation and safety control of the vehicle for a subscriber. Further, it is respectfully submitted that even if one were to combine the references as cited by the Examiner, it would not result in the Applicants' invention since the Song reference is particularly directed to a vehicle in use, or running.

It is respectfully requested that the Examiner withdraw the rejection of the claims 1-7 under 35 U.S.C. § 103.

Should the Examiner have any questions, comments or suggestions that may place the claims into better condition for allowance, he is respectfully requested to contact the undersigned attorney.

Respectfully submitted,


Angela M. Brunetti
Reg. No. 41,647

Attorney for Applicant(s)

Date: April 26, 2006

Artz & Artz, P.C.
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500
(248) 223-9522